

CORRECTED FISCAL NOTE

SB 2599 - HB 2549

April 26, 2002

SUMMARY OF BILL: Provides that

- all students are required to learn the pledge of allegiance and to demonstrate such knowledge. However, no student shall be compelled to recite the pledge of allegiance if the student or the student's parent objects on religious, philosophical or other grounds to the student participating in such exercise. The students would be required to stand and recite the pledge, while facing the American flag, with their right hands over their hearts or in an appropriate salute if in uniform. Each board of education shall provide appropriate accommodations for students who are unable to comply with the procedures due to disability.
- each local education agency (LEA) shall require the daily recitation of the pledge of allegiance in each classroom and shall insure that the United States flag is in place in each such classroom. Provisions of this bill are to be implemented at the commencement of the 2002-2003 school year, but no later than October 1, 2002. The State Board of Education is authorized to promulgate rules and regulations to effectuate purposes of this Act.

Present law requires all public school boards of education and public school teachers to instruct students on the purpose and methods for displaying the American flag, other patriotic emblems, and on the history and use of reciting the pledge of allegiance to the American flag.

ESTIMATED FISCAL IMPACT:

On March 7, we issued a fiscal note on this bill indicating an impact of Increase Local Govt. Expenditures - Not Significant. This impact statement failed to take into account any impact on state expenditures, which would occur to state special schools such as York Institute, Tennessee Preparatory School, etc. The impact statement also failed to quantify the local government impact of the bill:

The fiscal impact is estimated as follows:

**Increase State Expenditures – Less than \$1,500 One-Time
Not Significant Recurring**
**Increase Local Govt. Expenditures – Less than \$25,000 One-Time
Not Significant Recurring**

Estimate assumes:

- any cost associated with the State Board of Education developing guidelines on constitutional rights and restrictions relating to the recitation of the pledge of allegiance are estimated to be not significant.
- based on a survey, there are at least 100 state special school classrooms without a flag as required by the bill. Any recurring state expenditures for replacement flags are estimated to be not significant.
- local governments would have to provide an American flag in every classroom that does not already have one. On the original note, it was indicated that local government expenditures would be not significant. However, based on additional information from surveying a sample of public schools, estimate assumes at least 5% of public school classrooms do not currently have a flag, therefore local government expenditures are estimated to increase up to \$25,000 one-time to comply with the provisions of the bill. Any recurring local government expenditures for replacement flags or flags for new classrooms are estimated to be not significant.
- cost of a 2' x 3' nylon flag is approximately \$13 and a 3' x 5' nylon flag is approximately \$15.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

SB 2599 - HB 2549
CORRECTED